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ZYNGA, INC.

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

SEGAN LLC,

Paintiff,

v.

ZYNGA, INC.

Defendant.

Case No. 3:14-cv-01315-VC

**STIPULATION AND ~~[PROPOSED]~~
ORDER FOR SCHEDULING OF
SETTLEMENT CONFERENCE**

Judge: Honorable Kandis A. Westmore

STIPULATION AND [PROPOSED] ORDER FOR SCHEDULING OF SETTLEMENT CONFERENCE

1 By Settlement Conference Order dated October 10, 2014, United States Magistrate
2 Judge Kandis A. Westmore scheduled a second, follow-up settlement conference in this
3 matter (after holding an initial conference on October 10, 2014) for December 19, 2014.
4 (Dkt. No. 82). On December 11, 2014, this Court granted the parties' stipulated request to
5 postpone the December 19 settlement conference, and ordered the parties to contact Judge
6 Westmore's Chambers no later than 60 days after the close of fact discovery (i.e., by
7 February 16, 2015) to identify a future date to reschedule the settlement conference. (Dkt.
8 No. 115).

9 Presently, the parties are in the process of briefing claim construction and a motion
10 for summary judgment, and those matters are scheduled for oral argument before Judge
11 Chhabria on April 1, 2015. The parties believe that Judge Chhabria's ruling concerning
12 claim construction and summary judgment may resolve significant disagreements between
13 the parties concerning material elements of the case. Under the circumstances, and
14 pursuant to Dkt. No. 115, the parties agree and jointly propose the following, subject to
15 Court approval:

- 16 1. The settlement conference will remain adjourned until Judge Chhabria issues a
17 ruling on claim construction and summary judgment, following the April 1
18 argument.
- 19 2. The parties will confer and contact Judge Westmore's chambers about the
20 continuation of settlement discussions no later than thirty (30) days after Judge
21 Chhabria issues a ruling on claim construction and summary judgment.

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23 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.
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1 DATED: February 13, 2015 /s/ Nicholas M. Nyemah
2 Nicholas M. Nyemah
3 Attorney for Plaintiff Segan LLC

4 DATED: February 13, 2015 /s/ Sarah E. Stahnke
5 Sarah E. Stahnke
6 Attorney for Defendant Zynga, Inc.

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9 **FILER'S ATTESTATION**

10
11 Pursuant to Civil L.R. 5-1(i)(3), regarding signatures, I, Nicholas M. Nyemah, attest
12 that concurrence in the filing of this document has been obtained.

13
14 DATED: February 13, 2015 /s/ Nicholas M. Nyemah
15 Nicholas M. Nyemah
16 Attorney for Plaintiff Segan LLC

17
18 **~~PROPOSED~~ ORDER**

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20 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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22 DATED: 2/18/15 Kandis Westmore
23 Honorable Kandis A. Westmore
24 United States Magistrate Judge

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STIPULATION AND [PROPOSED] ORDER FOR SCHEDULING OF SETTLEMENT CONFERENCE